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THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents and/or fees referred to as attached therein are being deposited with the United States Postal Service on October 30, 2002 in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR §1.10, Mailing Label Number EL947955124US, addressed to the Commissioner for Patents, Washington, DC 20231.

Ryan Eachus
Ryan Eachus

Attorney Docket No.:

MXGNP002X1/0159.210

First Named Inventor: Sergey A.

Selifonov

**CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL
UNDER 37 CFR §1.53(d)**

Commissioner for Patents
Box CPA
Washington, DC 20231

This is a request for filing a

☒ Continuation ☐ Divisional

application under 37 CFR §1.53(d) (continued prosecution application) of prior pending application No. 09/495,668, filed on February 1, 2000, entitled METHODS OF POPULATING DATA STRUCTURES FOR USE IN EVOLUTIONARY SIMULATIONS.

Assigned to: Maxygen, Inc.

PLEASE NOTE:

- o THIS APPLICATION ABANDONS THE PARENT APPLICATION
- o MAY NOT BE USED WHEN THE PARENT IS A PROVISIONAL
- o NO REFERENCE TO PRIOR APPLICATION IN CPA PERMITTED

☐ Do not publish this application. Nonpublication Request is attached.

☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.

11/05/2002 RMDHDAF1 00000078 09495668

☒ A preliminary amendment is enclosed.

01 FC:1006 740.00 OP
02 FC:1202 360.00 OP

☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR

1.53(d)(4). DELETE the following inventor(s) named in the prior nonprovisional application:

☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.

☒ Information Disclosure Statement with Form PTO-Form 1449 is enclosed.

☒ Copies of IDS Citations

Fee Calculation (37 CFR § 1.16)

☐ Applicant is entitled to Small Entity Status under 37 C.F.R. § 1.27.

	(Col. 1) Total Claims		(Col. 2) Claims	(Col. 3) Present Extra	Rate	Additional Fee
TOTAL	40	MINUS	20	= 20	x 18	360.00
INDEP.	2	MINUS	3	= 0	x 84	0.00
[] First presentation of multiple dependent claim					\$280	
Basic Filing Fee under 37 C.F.R. §1.16(a)					\$740	740.00
TOTAL						1100.00
SMALL ENTITY 50% FILING FEE REDUCTION (if applicable)						

☒ The Commissioner is hereby authorized to credit overpayments or to charge any fees due to Deposit Account No. 500388 (Order No. MXGNP002X1).

General Authorization for Petition for Extension of Time (37 CFR §1.136)

☒ Applicants hereby make and generally authorize any Petitions for Extensions of Time as may be needed for any subsequent filings. The Commissioner is also authorized to charge any extension fees under 37 CFR §1.17 as may be needed to Deposit Account No. 500388 (Order No. MXGNP002X1).

☒ Check No. 6476 in the amount of \$1100.00 is enclosed.

☐ Suspension of Prosecution for the time necessary to file an amendment is requested.

☐ An Extension of Time in the prior application is requested.

☐ A Conditional Extension of Time in the prior application is requested.

☐ Other:

☒ Please continue to send correspondence to the following address:

Customer Number 022434



Date: 10/30/02

Jeffrey K. Weaver
Registration No. 31,314